

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON GRAND JURY 2013
MAY 20, 2014 SESSION

FILED

MAY 20 2014

TERESA L. DEPPNER, CLERK
U.S. District Court
Southern District of West Virginia

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:13-cr-00320

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

18 U.S.C. § 924(e)(1)

18 U.S.C. § 1512(k)

REGINALD B. BENNETT
JENNIFER S. ALLEN

S U P E R S E D I N G
I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

(Felon in Possession of a Firearm)

1. On or about September 12, 2013, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia and elsewhere, defendant REGINALD B. BENNETT, did knowingly possess a firearm, that is, a Colt Agent .38 caliber revolver, in and affecting interstate commerce.

2. At the time defendant REGINALD B. BENNETT possessed the aforesaid firearm, he had been convicted of crimes punishable by a term of imprisonment exceeding one year, as defined in 18 U.S.C. § 921(a)(20), that is:

- a. Convicted on or about September 14, 1994, in the Circuit Court of Baltimore County, Maryland, of Robbery with a Dangerous and Deadly Weapon and also Use of a Handgun in Commission of a Crime of Violence, in violation of MD Code, Art. 27 §§ 488 and 36B, respectively;
- b. Convicted on or about November 18, 1994, in the Circuit Court of Baltimore City Circuit Court, Baltimore City, Maryland, of Robbery with a Dangerous and Deadly Weapon and also Use of a Handgun in Commission of a Crime of Violence, in violation of MD Code, Art. 27, §§ 488 and 36B, respectively; and
- c. Convicted on or about January 12, 1995, in the Circuit Court of Howard County, Maryland, of Robbery with a Dangerous and Deadly Weapon and also Use of a Handgun in Commission of a Crime of Violence, in violation of MD Code, Art. 27, §§ 488 and 36B, respectively.

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924 (e)(1).

COUNT TWO

(Felon in Possession of a Firearm)

1. In or about December 2013 to on or about February 14, 2014, at or near Cedar Grove and South Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia and elsewhere, defendant REGINALD B. BENNETT, did knowingly possess the following firearms in and affecting interstate commerce, that is:

- a. Ruger Model M77 Mark II 300 Winchester Magnum rifle;
- b. Browning .22 Caliber Long Challenger II pistol;
- c. Taurus Model PT-25 pistol;
- d. Smith and Wesson .38 Caliber Air Weight revolver;
- e. Colt Single Action Frontier .22 caliber revolver; and
- f. Colt Single Action Frontier .22 caliber revolver.

2. At the time defendant REGINALD B. BENNETT possessed each of the aforesaid firearms, he had been convicted of crimes punishable by a term of imprisonment exceeding one year, as defined in 18 U.S.C. § 921(a)(20), that is:

- d. Convicted on or about September 14, 1994, in the Circuit Court of Baltimore County, Maryland, of Robbery with a Dangerous and Deadly Weapon and also Use of a Handgun in Commission of a Crime of Violence, in violation of MD Code, Art. 27 §§ 488 and 36B, respectively;
- e. Convicted on or about November 18, 1994, in the Circuit Court of Baltimore City Circuit Court,

Baltimore City, Maryland, of Robbery with a Dangerous and Deadly Weapon and also Use of a Handgun in Commission of a Crime of Violence, in violation of MD Code, Art. 27, §§ 488 and 36B, respectively; and

- f. Convicted on or about January 12, 1995, in the Circuit Court of Howard County, Maryland, of Robbery with a Dangerous and Deadly Weapon and also Use of a Handgun in Commission of a Crime of Violence, in violation of MD Code, Art. 27, §§ 488 and 36B, respectively.

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924 (e)(1).

COUNT THREE

(Conspiracy to Destroy and Conceal Evidence)

From on or about December 24, 2013 to on or about February 14, 2014, at or near Charleston and Cedar Grove, Kanawha County, West Virginia, and within the Southern District of West Virginia and elsewhere, defendants REGINALD B. BENNETT and JENNIFER S. ALLEN, together with other persons whose identities are known and unknown to the Grand Jury, knowingly conspired to commit offenses against the United States in violation of 18 U.S.C. § 1512(c), that is, knowingly and corruptly to alter, destroy and conceal objects, that is, a Black BMW 328i automobile, Registration Plate Number 1JY 401, which automobile contained firearms, with the intent to impair the integrity of the objects and their availability for use in an official proceeding.

In violation of Title 18, United States Code, Section 1512 (k).

R. BOOTH GOODWIN II
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